

REMARKS

Applicants respectfully request reconsideration of the present application.

Claims 1-30 are pending. Claims 1, 15, 17 and 24 have been amended. No new matter has been added.

Applicants reserve all rights with respect to the applicability of the Doctrine of Equivalents.

Rejection under 35 U.S.C. § 112

Claims 1, 17 and 24 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner stated that in claims 1, 17 and 24, the phrase "reproduce an image substantially identical to an image which will be reproduced by decoding and decompressing the coded data" is unclear to the Examiner. Also the Examiner requested a definition for the elements of "an image which will be reproduced by decoding and decompressing the coded data."

In response, to clarify the claim language, Applicants have amended claim 1 to recite the elements of "a partial decoding and decompression unit to partially decode and decompress coded data in accordance with a post-quantization condition related to at least one of position and component of an image . . . to reproduce *a first image that is substantially identical to a second image, the second image that will be reproduced by*

decoding and decompressing the coded data *after the coded data has* been subjected to a post-quantization processing in accordance with the post-quantization condition,” and “an image data displaying unit to display the *first* image reproduced by the partial decoding and decompression unit.” Claims 17 and 24 have also been amended recite analogous elements to those in amended claim 1. Applicants submit that claims 1, 17 and 24 are compliant under 35 U.S.C. § 112, second paragraph for at least the following reasons.

In particular, paragraph [0143] of the Specification discloses one embodiment related to the elements of “a partial decoding and decompression unit . . . to reproduce a first image,” and “an image data displaying unit to display the first image reproduced by the partial decoding and decompression unit” as recited in amended claim 1:

[0143] With such a preview operation, **by partially decoding and decompressing coded data so as to reproduce and display an image the same as that obtained in the case where post-quantization processing of varying the number of components is performed**, it is possible for the user to confirm in advance, i.e., **before performing post-quantization processing**, the conditions of an image after the post-quantization processing.

(emphasis added). Therefore, the elements related to “a first image” correspond to, for example, the above disclosure of the preview operation that partially decodes and decompresses coded data *before performing post-quantization processing* and then displays the corresponding image. Further, paragraph [0146] of the Specification discloses one embodiment related to elements of “the second image that will be reproduced by

decoding and decompressing the coded data after the coded data has been subjected to a post-quantization processing in accordance with the post-quantization condition,” as recited in amended claim 1:

[00146] When the user determines that a satisfactory result is obtained in the preview operation, the user can input an image saving instruction from the operations unit 107. When the image saving instruction is input, in step S135, **a post-quantization process of coded data is carried out in accordance with the control parameters** saved in the control parameter temporary storing area of the memory 105, **that is, the post-quantization conditions** that are set by the user. **The coded data after the post-quantization processing have the same number of layers, resolution levels, and components as those of the currently displayed image.** When the coded data are decoded and decompressed, then the image identical to that currently displayed is reproduced and displayed. In step S136, the coded data after the post-quantization processing are recorded on the recording medium 113 by the media recorder 112. A specific example of this post-quantization will be given later.

(emphasis added). In light of the above disclosure, the elements of “the second image that will be reproduced by decoding and decompressing the coded data after the coded data has been subjected to a post-quantization processing in accordance with the post-quantization condition,” correspond, in one embodiment, with post-quantization process of coded data as described above in the Specification.

In addition, it should be further understood that the elements of “a first image that is substantially identical to a second image” relates to the coded data after the post-quantization processing (i.e., “the second image”) that has, for example, the same number of layers, resolution levels, and components as those of the currently displayed image (i.e., “the first image” that is displayed before performing post-quantization

processing) from the preview operation. Therefore, for at least these reasons, the elements of “a first image that is substantially identical to a second image” are supported by the Specification.

Thus, in light of the above disclosure and reasons, Applicants submit that the elements of “a partial decoding and decompression unit to partially decode and decompress coded data in accordance with a post-quantization condition related to at least one of position and component of an image . . . to reproduce a first image that is substantially identical to a second image, the second image that will be reproduced by decoding and decompressing the coded data after the coded data has been subjected to a post-quantization processing in accordance with the post-quantization condition,” and “an image data displaying unit to display the first image reproduced by the partial decoding and decompression unit,” as recited in amended claim 1 are clearly supported by the Specification. Consequently, amended claim 1 is compliant under 35 U.S.C. § 112, second paragraph. Moreover, as mentioned above, claims 17 and 24 have also been amended recite analogous elements to those in amended claim 1 and are also compliant under 35 U.S.C. § 112, second paragraph for the same reasons. Accordingly, reconsideration and withdrawal of the rejection of claims 1, 17 and 24 are respectfully requested.

Rejection under 35 U.S.C. § 103

The Examiner rejected claims 1-7, 10-12, 17-20, 22 and 24-29 under 35 U.S.C. § 103(a) based on U.S. Patent Publication No. 2002/019,685 of Lecoutre (“Lecoutre”) in view of U.S. Patent No. 6,259,741 of Chen et al. (“Chen”). Applicants respectfully disagree.

Claim 1, as amended, recites the elements of “the post-quantization condition is related to at least one of position and component of an image.” The amendments incorporate some of the limitations from dependent claim 15. Lecoutre in view of Chen fails to teach or suggest these elements. The Examiner has not cited and Applicants are unable to discern the portion of Lecoutre and Chen that allegedly teaches or suggests these elements. Moreover, Applicants submit that Lecoutre in view of Chen fails to teach or suggest the elements related to “a partial decoding and decompression unit to partially decode and decompress coded data in accordance with a post-quantization condition related to at least one of position and component of an image . . . to reproduce a first image that is substantially identical to a second image, the second image that will be reproduced by decoding and decompressing the coded data after the coded data has been subjected to a post-quantization processing in accordance with the post-quantization condition,” as recited in amended claim 1. Applicants also note the comments made by the Examiner in the Response to Arguments (see pages 2 and 3) and submit that in light of the amendments of claim 1, Chen fails to teach or suggest these cited claim elements. Consequently, for at least these reasons, Lecoutre in view of Chen

fails to teach or suggest each element in amended claim 1. Thus, Applicants respectfully submit that the rejection of claim 1 under 35 U.S.C. § 103(a) in view of Lecoutre and Chen has been overcome at least for these foregoing reasons.

Claims 17 and 24, as amended, contain analogous limitations as the limitations of amended claim 1. Therefore, at least for the reason stated above, Applicants respectfully submit that the rejection of claims 17 and 24 in view of Lecoutre and Chen has been overcome.

Claims 2-7, 10-12, 18-20, 22 and 25-29 depend, directly or indirectly, from one of claims 1, 17 and 24, and thus, include the limitations set forth in their respective base claims. Therefore, at least for the reason discussed above, Applicants respectfully submit that the rejection of claims 2-7, 10-12, 18-20, 22 and 25-29 in view of Lecoutre and Chen has been overcome.

Claims 8 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lecoutre as applied in view of Chen further in view of U.S. Patent No. 6,587,508 of Hanamura et al. ("Hanamura").

With respect to claims 8 and 9, each of these claims depends on base claim 1 and incorporates the limitations thereof. Thus, in view of at least the reasons discussed above in connection with amended claim 1, Lecoutre in view of Chen fails to teach or suggest each element of claims 8 and 9 as well. Further, Hanamura fails to teach or

suggest the missing elements in amended claim 1. The Examiner has not cited and Applicants are unable to discern the portion of Hanamura that allegedly teaches or suggests the missing elements in amended claim 1. Therefore, Lecoutre in view of Chen in further view of Hanamura fails to teach or suggest each element of claims 8 and 9 because each of these claims depends on amended claim 1. Accordingly, reconsideration and withdrawal of the rejection of claims 8 and 9 are respectfully requested.

Claims 13-16, 23 and 30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lecoutre in view of Chen and further in view of U.S. Patent Publication No. 2002/0154823 filed by Okada (hereinafter "Okada").

With respect to 13-16, 23 and 30, each of these claims depends on 1, 17 or 24 and incorporates the limitations thereof. Thus, in view of at least the reasons discussed above in connection with amended claims 1, 17 and 24, Lecoutre in view of Chen fails to teach or suggest each element of claims 13-16, 23 and 30 as well. Further, Okada fails to teach or suggest the missing elements in amended claims 1, 17 and 24. In contrast, Okada is cited by the Examiner as allegedly teaching or suggesting the post-quantization condition related to the image quality. However, Okada fails to teach or suggest that the post-quantization condition is related to at least one of position and component of an image in the manner recited in amended claims 1, 17 and 24.

Therefore, Lecoutre in view of Chen in further view of Okada fails to teach or suggest each element of claims 13-16, 23 and 30 because each of these claims depends on amended claims 1, 17 or 24. Accordingly, reconsideration and withdrawal of the rejection of claims 13-16, 23 and 30 are respectfully requested.

In view of the foregoing amendment and remarks, Applicants respectfully submit that the pending claims are in condition for allowance. Applicants respectfully request reconsideration of the application and allowance of the pending claims.

Please charge any shortages and credit any overages to Deposit Account No. 02-2666. Any necessary extension of time for response not already requested is hereby requested. Please charge any corresponding fee to Deposit Account No. 02-2666.

Respectfully submitted,

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Dated: _____

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